

and other documents germane to the application in person at Southeast Texas Regional Airport.

Issued in Forth Worth, Texas on August 27, 2002.

**Naomi L. Saunders**

*Manager, Airports Division.*

[FR Doc. 02-22627 Filed 9-3-02; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Impact Statement: Mendocino County, CA

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of intent.

**SUMMARY:** The FHWA is issuing this notice to advise the public that an Environmental Impact Statement (EIS) will be prepared for a proposed highway project on State Route 101 (SR 101) in Mendocino County, near the town of Hopland, California.

#### FOR FURTHER INFORMATION CONTACT:

Harry Khani, Transportation Engineer, Federal Highway Administration, 980 Ninth Street, Suite 400, Sacramento, California 95814, telephone: (916) 498-5056, e-mail:

*Harry.Khani@fhwa.dot.gov*. Alan Escarda, California Department of Transportation (Caltrans) Project Manager, 1656 Union Street, Eureka, CA 95501, telephone: (707) 441-2097, e-mail: *Alan\_Escarda@dot.ca.gov*.

**SUPPLEMENTARY INFORMATION:** The FHWA in cooperation with Caltrans proposes to construct a four-lane freeway or expressway on SR 101 in Southern Mendocino County. The project limits extend from kp 14.2 to 28.3 (pm 8.8/17.6). The project will bypass the community of Hopland and upgrade the last section of two-lane conventional highway on SR 101 between Ukia and the San Francisco Bay Area to a four-lane freeway or expressway. The project is needed to reduce operational conflicts, accommodate existing and future traffic demand, reduce travel time, increase safety, improve air quality, reduce noise in Hopland and provide the facility concept identified in the "Inter-regional Transportation Strategic Plan".

Five alignments are being proposed at this time as well as a "No Build" alternative. All of the alignments potentially affect oak woodlands, riparian forest and pre-historic cultural resources. Letters describing the proposed action and soliciting comments have been sent to appropriate

Federal, State, and local agencies, and to private organizations and citizens who have previously expressed or are known to have interest in this proposal. A Public Open House has been held to solicit opinions from the community and a Project Development Team has been formed to determine the scope of the project. In addition, a public hearing will be held when the Draft EIS is complete. Public notice will be given of the time and location of the meetings and hearing. The Draft EIS will be available for public and agency review and comment prior the public hearing. No formal scoping meeting is planned at this time.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning, and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on: August 13, 2002.

**Maiser Khaled,**

*Chief, District Operations North, California Division, Federal Highway Administration.*

[FR Doc. 02-21931 Filed 9-4-02; 8:45 am]

**BILLING CODE 4910-22-M**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA 2002-13014; Notice 1]

#### Dorel Juvenile Group; Receipt of Application for Determination of Inconsequential Non-Compliance

Dorel Juvenile Group [Cosco] (DJG), of Columbus, Indiana, failed to comply with S5.1.1(a) of Federal Motor Vehicle Safety Standard (FMVSS) No. 213, "Child Restraint Systems," and has filed an appropriate report pursuant to 49 CFR Part 573, "Defect and Noncompliance Reports." DJG has also applied to be exempted from the notification and remedy requirements of 49 U.S.C. Chapter 301—"Motor Vehicle Safety" on the basis that the noncompliance is inconsequential to motor vehicle safety.

This notice of receipt of the application is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other

exercise of judgement concerning the merits of the application.

The following summarizes the DJG petition based upon information provided with the petition in accordance with the requirements of 49 CFR Part 556, "Exemption for Inconsequential Defect or Noncompliance."

#### Summary of the Petition

On September 7, 2001, as a result of its fiscal year 2001 testing, NHTSA notified DJG of a potential noncompliance regarding DJG's child restraint system (CRS). The noncompliance is the separation of the tether strap and steel belt slot adjustment channel from the Cosco Alpha Omega CRS seat shell produced from November 1, 2000 through January 10, 2001 (6 Models and 86,476 units). S5.1.1(a) of FMVSS No. 213 states that each child restraint system shall "Exhibit no complete separation of any load bearing structural element \* \* \*."

DJG does not think that tether separation during the sled test is the same as a complete separation of a load bearing structural element. DJG believes that the regulatory history of S5.1.1 shows that the purpose of the requirement is to reduce the likelihood of injury during collapse or disintegration of the system; therefore, the cutting of the tether strap does not present a risk of collapse or disintegration. DJG states that the agency's compliance test data show tether separation of the Alpha Omega CRS under dynamic loading provides significantly improved results compared to other Alpha Omega CRS without tether separation under dynamic loading. Therefore, DJG filed this petition on the basis that the noncompliance is inconsequential to motor vehicle safety.

#### Availability of the Petition and Other Documents

The petition and other relevant information are available for public inspection in NHTSA Docket No. NHTSA-2002-13014. You may call the Docket at (202) 366-9324 or you may visit the Docket Management in Room PL-401, 400 Seventh Street, SW., Washington, DC 20590 (10 a.m. to 5 p.m., Monday through Friday). You may also view the petition and other relevant information on the Internet. To do this, do the following:

(1) Go to Docket Management System (DMS) Web page for the Department of Transportation (<http://dms.dot.gov/search/>).

(2) On the next page (<http://dms.dot.gov/search/>)

*SearchFormSimple.cfm*), type the docket number "13014." After typing the docket number, click on "search."

(3) On the next page, which contains docket summary information for the docket you selected, click on the desired comments. You may download the comments and other materials.

#### Comments

Interested persons are invited to submit written data, views and arguments on the petition of DJG described above. Comments should refer to the Docket Number and be submitted to: U.S. Department of Transportation Docket Management, Room PL 401, 400 Seventh Street, SW., Washington, DC 20590. It is requested that two copies be submitted.

All comments received before the close of business on the closing date indicated below will be considered. The application and supporting materials, and all comments received after the closing date will also be filed and will be considered to the extent practicable. When the application is granted or denied, the Notice will be published in the **Federal Register** pursuant to the authority indicated below.

*Comment closing date:* October 7, 2002.

(49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.50 and 49 CFR 501.8)

Issued on: August 29, 2002.

**Stephen R. Kratzke,**

*Associate Administrator for Rulemaking.*

[FR Doc. 02-22552 Filed 9-4-02; 8:45 am]

BILLING CODE 4910-59-P

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA 2002-13242; Notice 1]

#### Goodyear Tire & Rubber Company, Receipt of Application for Decision of Inconsequential Noncompliance

Goodyear Tire & Rubber Company (Goodyear) has determined that approximately 2,400 of the 66,697 P275/55R20 Eagle LS and P245/70R16 Wrangler SRA tires manufactured and shipped during the period May 25, 2002 to June 16, 2002, do not meet the labeling requirements mandated by Federal Motor Vehicle Safety Standard (FMVSS) No. 109, "New pneumatic tires."

Pursuant to 49 U.S.C. 30118(d) and 30120(h), Goodyear has petitioned for a determination that this noncompliance is inconsequential to motor vehicle safety and has filed an appropriate

report pursuant to 49 CFR part 573, "Defect and Noncompliance Reports."

This notice of receipt of an application is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the application.

FMVSS No. 109 (S4.3(d)) requires that each tire shall have permanently molded into or onto both sidewalls the generic name of each cord material used in the plies (both sidewall and tread area) of the tire. The tires were marked with the material identified as polyester when it was actually nylon. The error occurred as a result of a roll of nylon being incorrectly identified as polyester.

Goodyear believes that the noncompliance is inconsequential to motor vehicles safety because the nylon fabric involved is much stronger than polyester fabric normally used in these tires, the end result being tires with increased endurance. These tires have been tested and the results indicate that all the performance requirements of FMVSS No. 109 were met or exceeded. The error is considered as an isolated instance. Goodyear states that additional steps have now been put in place to insure the usage of only the correct fabric in the future.

Interested persons are invited to submit written data, views, and arguments on the application described above. Comments should refer to the docket number and be submitted to: U.S. Department of Transportation, Docket Management, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590. It is requested that two copies be submitted.

All comments received before the close of business on the closing date indicated below will be considered. The application and supporting materials, and all comments received after the closing date, will also be filed and will be considered to the extent possible. When the application is granted or denied, the notice will be published in the **Federal Register** pursuant to the authority indicated below. Comment closing date: October 7, 2002.

(49 U.S.C. 301118, 301120; delegations of authority at 49 CFR 1.50 and 501.8)

Issued on: August 30, 2002.

**Stephen R. Kratzke,**

*Associate Administrator for Rulemaking.*

[FR Doc. 02-22632 Filed 9-4-02; 8:45 am]

BILLING CODE 4910-59-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34239]

#### St. Lawrence & Atlantic Railroad Company—Lease and Operation Exemption—Rail Lines of Fraser N.H. LLC

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** Notice of exemption.

**SUMMARY:** The Board grants an exemption under 49 U.S.C. 10502, from the prior approval requirements of 49 U.S.C. 11323-25, for St. Lawrence & Atlantic Railroad Company, a Class III rail carrier, to lease and operate over lines of Fraser N.H. LLC (Fraser), a Class III rail carrier, consisting of: (1) 5.5 miles of rail line between milepost 154.6 at Berlin, NH, and milepost 149.1 at Gorham, NH; and (2) 0.5 miles of rail line in the vicinity of Berlin, a total distance of 6.0 miles in Coos County, NH.

**DATES:** This exemption will be effective September 5, 2002. Petitions to reopen must be filed by September 25, 2002.

**ADDRESSES:** Send an original and 10 copies of pleadings referring to STB Finance Docket No. 34239 to: Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, send one copy of pleadings to petitioner's representative: Kevin M. Sheys, Kirkpatrick & Lockhart LLP, 1800 Massachusetts Ave., NW., Suite 200, Washington, DC 20036.

**FOR FURTHER INFORMATION CONTACT:** Beryl Gordon, (202) 565-1600. [TDD for the hearing impaired: 1-800-877-8339.]

**SUPPLEMENTARY INFORMATION:** Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: Dá 2 Dá Legal Copy Service, Room 405, 1925 K Street, NW., Washington, DC 20006. Telephone: (202) 293-7776. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.]

Board decisions and notices are available on our Web site at "www.stb.dot.gov."

Decided: August 28, 2002.

By the Board, Chairman Morgan and Vice Chairman Burkes.

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 02-22543 Filed 9-04-02; 8:45 am]

BILLING CODE 4915-00-P